

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

IN RE: DAISY MENDEZ,	{ CHAPTER 13
	{
	{
DEBTOR	{ CASE NO. R24-40051-BEM
	{
	{ JUDGE ELLIS-MONRO

SUPPLEMENTAL OBJECTION TO CONFIRMATION

COMES NOW K. EDWARD SAFIR, CHAPTER 13 TRUSTEE herein, and objects to Confirmation of the plan for the following reasons:

1. The Debtor's payments under the proposed plan are not current.
2. The proposed Chapter 13 plan appears to deviate from the local form plan adopted by the Northern District of Georgia, in violation of General Order No. 41-2020.
3. The Debtor has failed to disclose the transfer of interest in real property in the Statement of Financial Affairs, in possible violation of 11 U.S.C. § 521(a)(1)(B)(iii) and § 1325(a)(3).
4. Pursuant to testimony at the 341, it appears that the Debtor transferred an interest in the real property listed on Schedule A to her spouse in January 2024. It appears that this transfer may constitute a fraudulent transfer under 11 U.S.C. Section 548.

WHEREFORE, the Trustee moves the Court to inquire into the above objections, deny Confirmation of this Debtor's plan and to dismiss the case; or, in the alternative, convert the case to one under Chapter 7.

/s/
K. Edward Safir, Attorney
Chapter 13 Trustee
GA Bar No. 622149

K. Edward Safir, Chapter 13 Trustee
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R24-40051-BEM

CERTIFICATE OF SERVICE

I hereby certify that on this day I electronically filed the foregoing pleading with the Clerk of Court using the CM/ECF system which will automatically send an e-mail notification of such filing to the parties or attorneys of record. I have also on this day caused a copy of the pleading to be placed in the first-class United States mail, postage prepaid, addressed to the following recipients not participating in the CM/ECF system as follows:

DAISY MENDEZ
133 PINEHILL DRIVE
DALTON, GA 30721

This 28th day of February, 2024

Respectfully submitted,

_____/s/
K. Edward Safir, Attorney
Chapter 13 Trustee
GA Bar No. 622149

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